**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 7825 OF 2006**

**WITH**

**WRIT PETITION NO. 7826 OF 2006**

**WITH**

**WRIT PETITION NO. 7827 OF 2006**

**WRIT PETITION NO. 7825 OF 2006**

Panchali Co-operative
Hsg. Sco. Ltd., .. Petitioner.

vs.

N.L. Pvt. Ltd., . .. Respondents.

Mr. G.N. Salunkhe for petitioner.
Mr. Pravin Samdhani i/by M/s. Prakash & Co.
for Respondents.

**WRIT PETITION NO. 7826 OF 2006**

Sahadev Co-operative
Hsg. Sco. Ltd., .. Petitioner.

vs.

N.L. Pvt. Ltd., . .. Respondents.

Mr. G.N. Salunkhe for petitioner.
Mr. Pravin Samdhani i/by M/s. Prakash & Co.
for Respondents.

**WRIT PETITION NO. 7827 OF 2006**

Bheem Co-operative
Hsg. Sco. Ltd., .. Petitioner.

vs.

N.L. Pvt. Ltd., . .. Respondents.

Mr. G.N. Salunkhe for petitioner.
Mr. Pravin Samdhani i/by M/s. Prakash & Co.
for Respondents.

**CORAM : A.P. DESHPANDE, J.**
**DATE : 30th November, 2006.**

P.C.

. The respondent is the developer whereas the present petitioners are co-operative housing societies. The respondent has instituted a suit in the City Civil Court, Bombay claiming a right to dispose of the parking spaces under the stilt. While recording the evidence some documents are given exhibits by the trial Court which has been objected to by the present petitioners/societies. The main objection is that the undertakings are exhibited even though the said documents are not proved by summoning the persons who have executed

the said documents. The other objection is also raised that the said document which is in the nature of an undertaking tantamount to relinquishment of a right and hence require registration. Aggrieved by the action on the part of the trial court in exhibiting the document, the present writ petitions have been filed.

2. It is obvious that the impugned orders are non-appealable interlocutory orders. If and in case the suit filed by the respondent is decreed it shall be open for the petitioners to raise all the grounds which are raised in the present petitions in the said regular appeal. I do not feel it appropriate to exercise the discretion by entertaining the present petitions for examining the question as to which of the document needs to be exhibited or otherwise at this stage. Keeping all questions raised in these petitions open for being agitated by the petitioners in further proceedings, the writ petitions are summarily dismissed.

**(A.P. Deshpande, J.)**